

09.12.2020
Court No.28
SL No.43
AP

CRM 10086 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Islampur** P.S. Case No.**550 of 2020** dated **02.10.2020** under Sections **448/376** of the Indian Penal Code.

And

In the matter of: **Murtuj Sk. @ Golam Murtuj Sk.**

....Petitioner.

Mr. Md. Golam Nure Imrohi

...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,

Mr. Partha Pratim Das,

Ms. Manasi Roy

...for the State.

It is submitted on behalf of the petitioner that there is delay in lodging first information report and he is in custody for about 58 days and investigation is complete.

Learned lawyer for the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission that there is delay in lodging first information report and as the victim had refused medical examination at the initial stage of investigation and keeping in mind the period of detention suffered by the petitioner and as the investigation is complete, we are inclined to grant bail to the petitioner.

Let the petitioner be released on bail upon furnishing a Bond of Rs.10,000/-(Rupees Ten Thousand Only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Chief Judicial Magistrate, Murshidabad subject to the condition that while on bail the petitioner shall appear before the learned trial court regularly till disposal of the trial and the petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail is, thus, disposed of.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)